

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Avago Technologies General IP PTE Ltd.,  
et al.,

NO. C 04-05385 JW

Plaintiffs,

**ORDER TO SHOW CAUSE RE:  
PLAINTIFFS' MOTION FOR JUDGMENT  
OR FOR A NEW TRIAL**

v.

Elan Microelectronics Corp.,


Defendant.

This case was tried to a Jury. On May 1, 2009, the Jury returned a verdict in favor of Defendant. Upon consideration of the parties' pre-verdict motions, the Court orders the parties to appear on **June 9, 2009 at 9 a.m.** to show cause, if any, why the Court should not take the following actions:

- (1) Grant Plaintiffs' Motion for Judgment on the ground that based on the undisputed evidence, the accused product practices each element of Claim 4, or in the alternative;
- (2) Grant a new trial on the ground that the claim interpretation orders issued by the Court during the trial deprived the parties of having settled claim construction upon which to rely, resulting in substantial prejudice.

On or before **May 22, 2009**, the parties shall file any cross-briefs that they might wish to file directed to the above issues. On or before **May 28, 2009**, the parties may file any reply-briefs.

Dated: May 12, 2009

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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**Dated: May 12, 2009**

**Richard W. Wieking, Clerk**

**By: /s/ JW Chambers**  
**Elizabeth Garcia**  
**Courtroom Deputy**